UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,786	06/16/2000	Gerald W. Ingram	023460.00001	1228

7590 03/03/2003

James D. Liles
Dinsmore & Shohl LLP
255 East Fifth Street
1900 Chemed Center
Cincinnati, OH 45202

EXAMINER
TRAN, PHILIP B

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 03/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)
09/594,786	Ingram Et. Al.
Examiner	**Art Unit**
Philip B. Tran	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *three* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Nov 20, 2002* .

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *127-172* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *127-172* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

Response to Amendment

1. This office action is responsive to the amendment filed on November 20, 2002. Claims 64-126 have been canceled. Claims 127-172 have been newly added. Examiner requests that applicants should provide information about specific pages and columns of specification which supports the new claimed features. Therefore, claims 127-172 are presented for further examination.

Claim Objections

2. Claims 137 and 155 are objected to because of the following informalities: semi-colons should be replaced by the "periods" at the end of the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 127-129 and 151-153 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gennaro et al (Hereafter, Gennaro), U.S. Pat. No. 5,742,768.

Regarding claim 127, Gennaro teaches a method of operating a computer comprising providing a visual display, displaying digital content in a first window on the visual display, the digital content including a hyperlink, wherein the hyperlink comprises computer program code, providing a graphical interface on the visual display that is operative to effectuate a designation

of a hyperlink, and visually generating a plurality of user selectable options on the visual display in response to the designation of the hyperlink, wherein the user selectable options comprise at least one option with non-linking functionality [see Abstract, Figs 2A-2B and Col. 4, Lines 1-59].

Regarding claims 128-129, Gennaro further teaches the method of claim 127, wherein the generation of the user selectable options on the visual display in response to the designation of the hyperlink does not require modification to the computer program code corresponding to the designated hyperlink and wherein the functionality of the user selectable options does not require modification to the computer program code corresponding to the designated hyperlink [see Col. 4, Line 43 - Col. 5, Line 41].

Claim 151 is rejected under the same rationale set forth above to claim 127.

Claims 152-153 are rejected under the same rationale set forth above to claims 128-129.

Claim Rejections - 35 U.S.C. § 103

5. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CAR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 130-150 and 154-172 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gennaro et al (Hereafter, Gennaro), U.S. Pat. No. 5,742,768 in view of Himmel et al (Hereafter, Himmel), U.S. Pat. No. 6,211,874.

Regarding claim 130, Gennaro teaches a method of operating a computer comprising providing a visual display, displaying digital content in a first window on the visual display, the digital content including a hyperlink, wherein the hyperlink comprises computer program code, providing a graphical interface on the visual display that is operative to effectuate a designation of a hyperlink [see Abstract, Figs 2A-2B and Col. 4, Lines 1-59]. Gennaro does not explicitly teach upon user selection of one of the user selectable options copying the hyperlink including the corresponding computer program code and any associated graphical elements to a viewable list in a second window. However, copying the hyperlink to a viewable list in a second window is well-known in the art as disclosed by Himmel [see Col. 7, Line 38 - Col. 8, Line 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to copy a hyperlink to a new window because it would enable the user to conveniently designate a URL for multiple-link processing for accessing even when the hyperlink is not present in the displayed web page.

Regarding claim 131, Gennaro further teaches a method as recited in claim 130 further including the step of visually generating a plurality of user selectable options on the visual display in response to the designation of the hyperlink, wherein the user selectable options comprise at least one option with non-linking functionality [see Figs. 2A-2B].

Regarding claims 132-135, Gennaro does not explicitly teach determining if a second window comprising a viewable list of hyperlinks and associated graphical elements is displayed on the visual display; if the second window comprising a viewable list of hyperlinks and associated graphical elements is not displayed, creating a second window on the visual display containing at least one hyperlink and associated graphical elements; and copying the hyperlink including the corresponding computer program code and any associated graphical elements to the second window, determining if a second window comprising a viewable list is displayed on the visual display; if the second window comprising a viewable list is displayed, copying the hyperlink including the corresponding computer program code and any associated graphical elements to the displayed second window, and wherein the hyperlink copied to the viewable list is a hyperlink with operational linking functionality, and wherein copying the hyperlink to the viewable list does not require modification to the computer program code corresponding to the designated hyperlink. However, copying the hyperlink to a viewable list in a second window is well-known in the art as disclosed by Himmel [see Col. 7, Line 38 - Col. 8, Line 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to copy a hyperlink to a new window because of the same reasons set forth above to claim 130.

Claim 136 is rejected under the same rationale set forth above to claim 130.

Regarding claim 137, Gennaro further teaches the method of claim 136 further including the step of visually generating a plurality of user selectable options on the visual display in response to the designation of the hyperlink, wherein the user selectable options comprise at least one option with non-linking functionality [see Figs. 2A-2B].

Regarding claims 138-140, Gennaro does not explicitly teach creating a second window comprising the created hyperlink on the visual display; and copying the created hyperlink including the corresponding computer program code to the second window, wherein the created hyperlink for the displayed digital content is a hyperlink with operational linking functionality, and wherein copying the created hyperlink to the created window does not require modification to the computer program code corresponding to the designated hyperlink. However, copying the hyperlink to a viewable list in a second window is well-known in the art as disclosed by Himmel [see Col. 7, Line 38 - Col. 8, Line 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to copy a hyperlink to a new window because of the same reasons set forth above to claim 136.

Regarding claim 141, Gennaro teaches a method of operating a computer comprising providing a visual display, displaying digital content in a first window on the visual display, the digital content including a hyperlink, wherein the hyperlink comprises computer program code,

providing a graphical interface on the visual display that is operative to effectuate a designation of a hyperlink, visually generating a plurality of user selectable options on the visual display in response to the designation of the hyperlink [see Abstract, Figs 2A-2B and Col. 4, Lines 1-59]. Gennaro does not explicitly teach upon user selection of one of the user selectable options, loading the digital content corresponding to the designated hyperlink into a second window on the visual display, wherein the second window is positioned behind the first window. However, copying the hyperlink to a viewable list in a second window is well-known in the art as disclosed by Himmel [see Fig. 5C and Col. 7, Line 38 - Col. 8, Line 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to copy a hyperlink to a new window because of the same reasons set forth above to claim 130.

Regarding claim 142, Himmel further teaches the method of claim 141 wherein the second window is automatically positioned behind the first window [see Fig. 5C].

Regarding claim 143, Gennaro does not explicitly teach loading the digital content corresponding to the designated hyperlink into the second window does not require modification to the computer program code corresponding to the designated hyperlink. However, copying the hyperlink to a viewable list in a second window is well-known in the art as disclosed by Himmel [see Col. 7, Line 38 - Col. 8, Line 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to copy a hyperlink to a new window because of the same reasons set forth above to claim 130.

Regarding claim 144, Gennaro further teaches the method of claim 141, wherein the user selectable options comprise at least one option with non-linking functionality [see Figs. 2A-2B].

Claim 145 is rejected under the same rationale set forth above to claim 141. Himmel further teaches the second window comprises a smaller width and height dimensions as compared to the first window [see Figs. 5C].

Claims 146-147 are rejected under the same rationale set forth above to claims 143-144.

Regarding claim 148, Gennaro teaches a method of operating a computer comprising providing a visual display, displaying digital content in a first window on the visual display, the digital content including a hyperlink, wherein the hyperlink comprises computer program code, providing a graphical interface on the visual display that is operative to effectuate a designation of a hyperlink, visually generating a plurality of user selectable options on the visual display in response to the designation of the hyperlink, wherein the user selectable options comprise at least one option with non-linking functionality [see Abstract, Figs 2A-2B and Col. 4, Lines 1-59].Gennaro does not explicitly teach upon user selection of one of the user selectable options, retrieving the digital content associated with the designated hyperlink; and storing the retrieved digital content in a computer-readable storage medium for later access. However, downloading pages associated with links and storing in a storage device is well-known in the art as disclosed by Himmel [see Abstract and Col. 2, Lines 66-67 and Col. 3, Lines 40-64]. It would have been

obvious to one of ordinary skill in the art at the time of the invention was made to store the digital content in a computer-readable storage medium in order to easily and efficiently retrieve access later.

Claim 149 is rejected under the same rationale set forth above to claim 145. In addition, the use of option for minimizing window is well-known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to manipulate windows in order to provide a friendly use in customizing windows for a better and more efficient displaying.

Regarding claim 150, Gennaro further teaches the method of claim 149, wherein the user selectable options comprise at least one option with non-linking functionality [see Figs. 2A-2B].

Claim 154 is rejected under the same rationale set forth above to claim 130.

Claim 155 is rejected under the same rationale set forth above to claim 131.

Claim 156 is rejected under the same rationale set forth above to claim 132.

Claim 157 is rejected under the same rationale set forth above to claim 135.

Claim 158 is rejected under the same rationale set forth above to claim 136.

Claim 159 is rejected under the same rationale set forth above to claim 138.

Claim 160 is rejected under the same rationale set forth above to claim 140.

Claim 161 is rejected under the same rationale set forth above to claim 141.

Claim 162 is rejected under the same rationale set forth above to claim 143.

Claim 163 is rejected under the same rationale set forth above to claim 142.

Claim 164 is rejected under the same rationale set forth above to claim 144.

Claim 165 is rejected under the same rationale set forth above to claim 145.

Claims 166-167 are rejected under the same rationale set forth above to claims 146-147.

Claim 168 is rejected under the same rationale set forth above to claim 148.

Claim 169 is rejected under the same rationale set forth above to claim 146.

Claim 170 is rejected under the same rationale set forth above to claim 149.

Claim 171 is rejected under the same rationale set forth above to claim 146.

Claim 172 is rejected under the same rationale set forth above to claim 150.

7. Applicants' arguments with respect to claims 127-172 have been considered but are deemed to be moot in view of the new grounds of rejection.

Other References Cited

8. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

A) Wies et al, U.S. Pat. No. 6,161,126.

B) Shrader et al, U.S. Pat. No. 6,195,097.

Conclusion

9. Applicants' amendment necessitates the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A SHORTENED STATUTORY PERIOD FOR REPLY TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS ACTION. IN THE EVENT A FIRST REPLY IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CAR 1.136(A) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT, HOWEVER, WILL THE STATUTORY PERIOD FOR REPLY EXPIRE LATER THAN SIX MONTHS FROM THE MAILING DATE OF THIS FINAL ACTION.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 746-7239.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PBT
Philip Tran
Art Unit 2155
Feb 14, 2003

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100